

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

JESSIE F. TRUITT, III,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-24-218-J
)	
OIG, et al.,)	
)	
Defendants.)	

ORDER

Plaintiff, a state prisoner appearing pro se, filed a Complaint pursuant to 42 U.S.C. § 1983 [Doc. No. 1] and a motion for leave to proceed in forma pauperis [Doc. No. 6]. The matter was referred for initial proceedings to United States Magistrate Judge Shon Erwin consistent with 28 U.S.C. § 626(b)(1)(B), (C). After preliminary review, Judge Erwin issued a Report and Recommendation finding that Plaintiff has sufficient funds to pay the \$405.00 filing fee and recommending that his motion for leave to proceed in forma pauperis be denied. [Doc. No. 7]. Plaintiff did not object, thus waiving his right to appellate review of the factual and legal issues addressed in the Report and Recommendation. *See Casanova v. Ulibarri*, 595 F.3d 1120, 1123 (10th Cir. 2010).

Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 7], DENIES Plaintiff's motion for leave to proceed in forma pauperis [Doc. No. 6], and ORDERS Plaintiff to pay the \$405.00 filing fee in full within twenty-one days, or no later than May 16, 2024. Plaintiff is advised that if he does not pay the full \$405.00 filing fee on or before that date, this action will be dismissed without prejudice.

IT IS SO ORDERED this 25th day of April, 2024.



BERNARD M. JONES
UNITED STATES DISTRICT JUDGE